

Appl. No. 10/751,725
Atty. Docket No. 8222D
Amdt. dated 05/02/2005
Reply to Office Action of 01/31/2005
Customer No. 27752

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REMARKS

Formal Matters

Claim 1 amended to include the limitation that the web is a "single ply" of the claimed eccentric bicomponent fibers. Antecedent basis for the amendment can be found in the specification at page 4, line 28 – page 5, line 1.

35 USC 102

Claims 1-3 have been rejected under 35 USC 102(b) as being anticipated by MAYS (WP 017 807 A2) further evidenced by MAGNUSSON (WO 99/00098). Claim 1 of the present application has been amended to include the limitation that the web is made from a single ply of the eccentric bicomponent fibers. Applicants submit that pending Claims 1 and 3 are novel over the cited art for the reasons discussed below.

MAYS discloses a fabric comprising multiple plies comprised of fibers of different materials: (i) *a thin layer* of fusible fibers (which can be bi-component fibers) at one or both outer surfaces of the fabric; and (ii) a base layer. There is no suggestion to make a single ply web of bicomponent fibers. Further, there is also no suggestion to make a single ply of eccentric bicomponent fibers wherein the bicomponent fibers are thermally fused either (i) only at the outer surface, or (ii) if thermally fused throughout, fused in such a way that a gradient in level of fusion exists with a lesser amount occurring in the center portion of the web.

35 USC 103

Claims 10-13 have been rejected under 35 USC 103(a) as being unpatentable over MAYS in further view of BRASSINGTON (WO 93/22486).

Applicants respectfully maintain that Claims 10-13 are unobvious over the cited art for the same reasons discussed above with respect to the novelty rejection of Claims 1-3. The combination of MAYS and BRASSINGTON would not provide a highly oil absorbent web as claimed in Claims 10-13, especially a web made from a single ply of eccentric bicomponent fibers wherein thermal fusing occurs either (i) at the surface of the web, only, or (ii) if thermally fusing extends throughout the thickness of the web, a gradient exists such that a lesser amount of thermal fusing exists in center portion of the web than at the outer thermally fused portion(s). The present invention avoids the complexity of multiple plies of different materials of MAYS, while maximizing oil absorbency by limiting the level of thermal fusing of the bicomponent fibers.

Further, it would not have been obvious to modify MAYS to use only a single ply of eccentric bicomponent fibers to result in the claimed subject matter of the present

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invention because there is no teaching or suggestion to use or modify the webs of MAYS in a manner to increase oil absorbency properties. Likewise there is no teaching or suggestion in BRASSINGTON to thermally bond the outer portion(s) of an absorbent web made from eccentric bicomponent fibers while leaving the interior portion non-thermally bonded or bonded to a lesser degree.

Conclusion

In light of the above amendments and remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC 102 and 103. Favorable action in the case is respectfully requested.

Respectfully Submitted,

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By 

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